
Introduced by Senator Dunn

February 11, 1999

An act to amend Section 3572.3 of the Government Code, relating to higher education labor relations.

LEGISLATIVE COUNSEL'S DIGEST

SB 389, as introduced, Dunn. Higher education labor relations: University of California.

Existing law contains provisions relating to employer-employee relations between the State of California and the employees of state institutions of higher education. With respect to the University of California, these provisions provide, among other things, that the duty to engage in meeting and conferring requires the parties to begin meeting and conferring at least 60 days prior to the expiration of the memorandum of understanding, or the May 1, if earlier, of any year in which a memorandum expires, or on May 1 if there is no existing memorandum.

This bill would amend these provisions to make several technical, nonsubstantive revisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 3572.3 of the Government Code
- 2 is amended to read:
- 3 3572.3. (a) This section shall apply only to the
- 4 University of California.

1 ~~(a)~~

2 (b) The duty to engage in meeting and conferring
3 ~~requires~~ *mandates* the parties to begin meeting and
4 conferring at least 60 days prior to the expiration of
5 memoranda of understanding, or the May 1, if earlier, of
6 any year in which a memorandum shall expire, or May 1,
7 if there is no existing memorandum. The University of
8 California and *the* Hastings College of the Law shall
9 maintain close liaison with the Department of Finance
10 and the Legislature relative to the meeting and
11 conferring on provisions of the written memoranda
12 which have fiscal ramifications.

13 ~~No~~

14 (c) *No* written memoranda reached pursuant to ~~the~~
15 ~~provisions of~~ this chapter which require budgetary or
16 curative action by the Legislature or other funding
17 agencies shall be effective unless and until ~~such as~~ *that*
18 action has been taken. Following execution of written
19 memoranda of understanding, an appropriate request for
20 financing or budgetary funding in the aggregate for all
21 state-funded employees or for necessary legislation ~~will~~
22 *shall* be forwarded promptly to the Legislature and the
23 Governor or other funding agencies. When memoranda
24 require legislative action pursuant to this section, if the
25 Legislature or the Governor fail to fully fund the
26 memoranda or to take the requisite curative action, the
27 entire memoranda shall be referred back to the parties
28 for further meeting and conferring; ~~provided, however,~~
29 ~~that the~~. *The* parties may agree that provisions of the
30 memoranda which are nonbudgetary and do not require
31 funding shall take effect whether or not the aggregate
32 funding requests submitted to the Legislature are
33 approved. The Legislature recognizes that the University
34 of California's sources of funding are multiple and
35 approval by the Legislature, and by other public
36 agencies, as to employees funded by those agencies, may
37 be required prior to implementation of increased

1 expenditures resulting from agreements reached in
2 accordance with ~~the provisions of~~ this chapter.

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